



**REGULAR MEETING OF THE PLANNING AND ZONING COMMISSION
MIDDLETOWN CONNECTICUT
SEPTEMBER 9, 2020**

The Regular Meeting of the Planning and Zoning Commission of the City of Middletown was held remotely via WebEx.

1. Roll Taking

Present: Stephen Devoto
Nicholas Fazzino
Catherine Johnson
Richard Pelletier (arrived at 7:15 PM)
Thom Pattavina
James O'Connell
Kellin Atherton (seated for Commissioner Pelletier)
Shanay Fulton (seated for Commissioner Fazzino)

Absent: Marcus Fazzino

Staff: Marek Kozikowski, AICP, City Planner

Public: Over 50 members of the public

2. Items removed from the agenda and why

None

3. Public comment on items on agenda which are not currently scheduled for a public hearing

None

4. ZEO Certification that all public hearing signs have been properly noticed (when scheduled)

Marek indicated that all signs have been posted correctly.

5. Public Hearings (when scheduled)

- 1. Request for final approval for lots 1-3 of the Cedar Ridge Subdivision on Coleman Road which received preliminary approval in May of 2011. Applicant/agent Philip Reynolds S2011-2**

Frank Magnotta, Consulting Engineer for this project said that the original approval was for six (6) lots in 2011. Since the original approval, lot #6 was deleted from the subdivision. Lots 4 & 5 was

approved a few years after. The applicants received a waiver from the State Health Dept. indicating that they could eliminate the requirement for the public water site and go with individual wells for lots 1-3.

Commissioner Devoto asked Mr. Magnotta if he went through the staff comments and if they were all acceptable to him. Mr. Magnotta said he had not seen the comments. Marek read them into the record. Commissioner Johnson questioned what trees would be saved and if it will be on the deed. Marek said it should be noted on the subdivision map.

Nicholas Fazzino moves to close the public hearing. Thom Pattavina seconds the motion. The chair calls for the vote. It is unanimous to close public hearing with 7 aye votes. The chair states the matter passes unanimously with 7 affirmative votes.

Commissioner Pelletier arrived at the meeting. Commission Atherton will remain seated for Commissioner Pelletier for this application. Commissioner Pelletier will resume his seat at the next item and Commissioner Atherton will then be seated for Commissioner Fazzino. Commissioner Fulton will no longer be seated.

Nicholas Fazzino moves to approve the request for final approval for lots 1-3 of the Cedar Ridge Subdivision on Coleman Road which received preliminary approval in May of 2011. Thom Pattavina seconds the motion. The chair calls for the vote. It is unanimous to approve with 7 aye votes. The chair states the matter passes unanimously with 7 affirmative votes.

2. Proposed zoning map amendment from MX (Mixed Use) to SMH (Substance Abuse/ Mental Health) Floating zone for property located at 392 Washington Street. Applicant/agent Hartford Dispensary dba Root Center for Advanced Recovery / Timothy S. Hollister, Esq., Shipman & Goodwin LLP Z2020-7.

Commissioner Devoto suggested that both 5.2 & 5.3 be heard together as they are both at the same property. Commissioner Pattavina moves and Commissioner Atherton seconds. Chair calls for the vote. The chair states the matter passes unanimously with 7 affirmative votes.

3. Proposed special exception for a change of use from automobile repair garage and site plan review of a new clinic for mental health and/or substance abuse counseling, Diagnosis and Treatment (methadone treatment services) at 392 Washington Street in the proposed SMH zone. Applicant/agent Hartford Dispensary dba Root Center for Advanced Recovery/ Timothy S. Hollister, Esq., Shipman & Goodwin LLP SE2020-5.

Attorney Tim Hollister represented the applicant. He described the site as 1.1 acres and in the Mixed Use Zone (MX). They will use the existing building on the property now. He introduced Stephen Zuckerman, President and CEO of the Root Center for Advanced Recovery.

Stephen said that he is also a licensed councilor. They have been serving the Community of Connecticut since 1884 when they were the first to open an out-patient medical clinic. He gave a history of the Root Center and the need and importance of opening one in Middletown.

Ron Bonnergen, Professional Engineer with Fuss and O'Neil in the State of CT gave a site presentation. He spoke of the neighboring properties. He said that the current building will not be torn down. They will reuse the building and the driveway entrances. The current site is partly used as an auto repair shop. The other portion of the building is currently a vacant retail space.

Ted Cutler, Project Architect gave a presentation on the architecture of the building and the different aspects of the interior.

Mark Vertucci, Senior Transportation Engineer at Fuss & O'Neil and also a Professional Engineer in the State of CT and a Certified Professional Traffic Operations Engineer. Fuss & O'Neil did a traffic study and he spoke about the findings of the report.

AT 8:34 PM Commissioner Johnson moved to take a ten (10) minute break. Commissioner Fazzino seconds the motion. Chair calls for the vote. The chair states the matter passes unanimously with 7 affirmative votes. Meeting resumed at 8:44 PM.

From the public:

- Mayor Florsheim of 834 Bear Hill Road said that not only does Middletown not have a clinic in Middletown, it also banned them in the zoning regs. This P&Z Commission repealed that regulation earlier this year. This provides the Root Center to open an MAT Clinic on Washington Street in Middletown. There are a lot of misconceptions and stereotypes about MAT Clinics. Most of those have been fairly, thoroughly debunked thanks to the increase of readily available evidence, outreach and activism. One of these misconceptions is that the clinics create unsafe environments in the neighborhood or communities that they serve. To the extent that if this were ever true, it is certainly not true today. Study after study after study has shown that MAT clinics do not make neighborhoods unsafe, in fact they are associated with lower rates of crime than other types of businesses including package stores and convenient stores. Another misconception is that clinics are a magnet to draw in an outside element of dangerous people from other cities who use the services and then become a burden to the community. The fact is that Middletown's lack of a clinic is what's costing us. Our own residents are forced to go to Hartford to receive daily treatment. Addiction is a deadly disease. This evening is an opportunity to do the right thing. People are in need of treatment and they deserve to get it in their own community.
- Bill Wilson of 220 Bayberry Circle said that he has no issue with the need of a methadone clinic in Middletown, only where it's going to be located at. It does not fit in the character of the area on Washington Street. We have a medical corridor that is used specifically for these types of facilities. Why would it not go into one of those areas instead of near the college on Washington Street? To Bill it's a bad place, bad idea. He has no problem helping people with an addiction, he's worked in the field for over ten (10) years and know there is a need. This is not the right area for it. He hopes they vote 'no'.
- Sonia Santavenere of 390 Washington Street has lived in Middletown for over 30 years. She has raised her kids and has a business here. She does not approve of this location near her business. She has been to methadone clinics in Manchester and Hartford. They hang out, they smoke, they drink and it's not a look she wants in front of her building. Mr. Florsheim, you went to Wesleyan and the kids walk up and down the street to Nardelli's all hours of the night. She is afraid and hopes the Commission will not take food off her table and votes 'no'.
- Ray Bishop of 163 (inaudible) is a master licensed substance abuse clinician in the State of CT. He has been employed for four (4) years at the Hartford Dispensary. In addition,

on weekends he works for the Rushford Center since 2002. He has been a resident of Middletown since 2000 for substance abuse treatment. He was told that Middletown is where the recovery was. Methadone was not an option for him since he was not on opioids. There was no treatment for his drug of choice. He completed acute care treatment, an intensive in-patient treatment and continues to take advantage of the recovery options that are available. He bought a house with his wife two (2) minutes from the proposed clinic. He would welcome another recovery opportunity to the neighborhood. He can't imagine having to leave town on a daily basis for treatment and get any medications that were prescribed. He said opioid use and most of the problems people are talking about are already here. It would be prudent and an overall benefit for the community if they had easier access to as many as possible to a viable and prudent treatment option.

- Maryellen (inaudible) is the Executive Director to St. Vincent DePaul in Middletown. Amazing Grace Food Pantry as well as providing supportive housing services at Liberty Commons on Main Street and the Shepard Home Complex on CVH campus. What she has seen with the opioid crisis since 25 years ago is a pandemic. She thinks Washington Street is a good location because it's walkable and many of the people in the north end who can use methadone treatment have to take a bus to Hartford every day. It doesn't work. They fall out of treatment and become victims of the drug lords that are functioning in the north end and other parts of Middletown.
- Yuri Branzburg of 111 Middlefield Street does not agree with the location of the proposed methadone clinic. Why not put it somewhere in the Middlesex Health Community where they can get better service for people who are seeking this kind of treatment? He spoke at length about statistics.
- Beth Emery of 86 West Poplar Avenue said she is in favor of a methadone clinic in Middletown. (audio distorted)
- Kathy Adams spoke in favor of this project. She thinks the building would be a great improvement to the community. The location has access by bus as well as by car. Meth clinics do not usually increase crime. She has read the reports and liquor stores and corner stores have more crime than these clinics. These clinics centers are a public health need.
- Amy Rau is not a resident of Middletown but is a supervisor for the Willimantic Root Center. She said what we are hearing tonight is an underlying discrimination. It's important to understand that people who are addicted to substances are your neighbors, your friends, your family members that are hiding it. It includes every race. By having a Root Center there you are not getting just a methadone treatment you are getting life-saving treatment. It's important to understand that even if you're not seeing the crime, it is there and it's not going to be necessarily due to the methadone clinic.
- Russell Picket, 5 Pearl Street, Terryville is a client at the Root Center in Bristol. He expressed gratitude for the Treatment Center. There is no smoking on the premises and he thinks it's a beautiful building for this use.

- Terry Scrivano is not a resident of Middletown but she is the Director of Clinical Services for the Center of Advanced Recovery. She oversees one of the Middletown Clinics on 520 Saybrook Road and they have a good relationship with the community. She implores everyone to look at their website.
- Jay Scheil of 17 Wall Street runs the current business at 392 Washington Street. He is speaking for his neighbor and thinks it's unfortunate for Root to look at this location for their facility. He believes that there is a need in Middletown but at a different location.
- Laurie Davis of 23 Butternut Street which is ½ block from where the dispensary is planned. She said although as we heard tonight that treatment centers do not bring more crime than package stores to the neighborhood, they still bring crime. There is a culture of loitering at these facilities.
- Carrie DePetro, 26 West Street is the news director of Middletown Health and strongly supports this application. She would like to remind the previous speakers and the Commission that addiction is a disease.
- Carlton Giles is the pastor of Zion First Baptist Church at 16 James Moses Avenue. He speaks in opposition of the placement of the Root Center. He is not opposed to the Center itself or the work they do, just the location.
- John DeSena of 57 Olympus Parkway is not opposed to a methadone clinic. He's lost friends due to opioid addiction and is totally familiar with opioids and the hazards it causes. He does not think Washington Street is not a good location for this application. Most of the people who are in favor are from other towns or work for the Root Center.
- Donna Williams of 75 Butternut Street and is a retired police officer does not think a methadone clinic should be in Middletown. It would increase the traffic, the criminal rate, large groups of people gathering, indecency and offensive behavior.
- Michelle Memorand of 91 Butternut Street is in favor of a methadone clinic but does not want to put the neighborhood or the clients into unnecessary risk. She expressed concern about the location.
- Jarrod Tiegens of 25 Butternut Street has 2 businesses in City, is a landlord and a real estate investor. He is also a recovering heroin addict since 2014. He does not see this as a good location. He said methadone clinics do increase crime, does not agree that methadone clinic help the addicts in the community. He has many friends that have gone to this clinic that are either dead or in jail. It just trades one addiction to another. There are better ways to treat these patients than giving them hooked on a different drug.
- Roy Anderson of 109 Butternut Street is opposed to the zoning change and methadone clinic in this location. The traffic at this location is very dangerous. It will make Middletown a hub for Central Connecticut. It will make a tremendous increase in the clientele. Norwich had to close for structural repairs which impacted 500 clients.
- Jennifer Paradis of 430 Boston Road is in favor of the applications.

- Robert Olson is speaking for his father Eugene Olson of 471 Washington Street and his sister who lives at 467 Washington Street. He agrees with Bill Wilson (1st speaker) in that this is the wrong location for this use. He is surprised that this location was chosen for this.
- Katie Pearl of 91 Butternut Street is very concerned about the placement of this clinic. She believes in the necessity of a clinic but not at this location.
- Kayla Bernacki of 25 Butternut Street spoke about the increased crime. She lives right across the street and is concerned about her family and neighbors.
- Laurie Davis has already spoken wanted to ask the applicant questions and asked if the Commission would allow the public to ask.
- Jay Sheil, a previous speaker wanted to address the traffic issues. He said that an average of 16 to 20 cars come to his business every day which proves the applicant's data is not correct.
- John DeSena, also a previous speaker said that they have not heard from the Chamber, so he is assuming they are not supporting it. They also haven't heard from Wesleyan. He reminded the Commission that the applicant needs to go to Inland Wetlands before the P&Z Commission can vote on it.

Commissioner Fulton said when she was elected to this Commission they were elected to serve the community, property owners and the small businesses. She just wants the Commission to be cognizant of that. She commented on some of what the speakers and applicants had to say.

Commission Johnson would like a list of the centers in CT. She also had questions about the traffic and the parking. She also asked if there were any word from the apartment building or Nardelli's about this project.

Commissioner O'Connell would like certification on the traffic study that was presented to them.

Attorney Ted Hollister said he has been taking many notes on what was said and asked Marek to forward any other questions that the Commission or public might have.

Marek said that there has been additional letters from the public who are in opposition to the project. Since the intent is to continue the public hearing, he does not feel he needs to read them into the record tonight. He will post them on the website for public review.

Thom Pattavina made a motion to continue the public hearing to September 23rd for a special exception for a change of use from automobile repair garage and site plan review of a new clinic for mental health and/or substance abuse counseling, Diagnosis and Treatment (methadone treatment services) at 392 Washington Street in the proposed SMH zone for the. Richard Pelletier seconds the motion. Commissioner Fazzino is not in favor of continuing the public hearing. Tim Hollister said that he just receive this morning 6-7 pages of comments from Marek and they need time to address them. Commissioner O'Connell is not in favor of closing the public hearing. Commissioner Pelletier also said that the public hearing should remain open. The chair calls for

the vote. It is approved to table with 6 aye votes and one opposed by Commissioner Fazzino. The chair states the matter passes with 7 affirmative votes.

6. Old Business

None

7. New Business

- 1. Proposed special exception for construction of a two-family dwelling in the TD Zone at 243 Saybrook Road. Applicant/agent Christopher Bull SE2020-6**

Thom Pattavina moves to schedule a public hearing meeting for a proposed special exception for construction of a two-family dwelling in the TD Zone at 243 Saybrook Road for October 14, 2020. Richard Pelletier seconds the motion. The chair calls for the vote. It is unanimous to schedule a public hearing with 7 aye votes. The chair states the matter passes unanimously with 7 affirmative votes.

- 2. Proposed two lot resubdivision of the property of Roger & Marylou Spurr at 88 Preston Street. Applicant/agent Roger & Marylou Spurr/Pat Benjamin, P.E. S2020-3**

Thom Pattavina moves to schedule a public hearing for September 23, 2020. Richard Pelletier seconds the motion. The chair calls for the vote. It is unanimous to schedule a public hearing with 7 aye votes. The chair states the matter passes unanimously with 7 affirmative votes.

- 3. Request for a favorable G.S. 8-24 for a 14' x 18' paved access way that serves as the sole entrance to Mortimer Cemetery. Applicant/agent City of Middletown G.S. 8-24 2020-10**

Thom Pattavina moves for approval for a request for a favorable G.S. 8-24 for a 14' x 18' paved access way that serves as the sole entrance to Mortimer Cemetery. Richard Pelletier seconds the motion. The chair calls for the vote. The chair states the matter passes unanimously with 7 affirmative votes.

- 8. Public comment on topics which are not or have not been the subject of a public hearing**

- 9. Minutes of the Regular Meeting, Transcripts, Staff Reports and Commission Affairs**

- 1. Minutes of the July 22, 2020 meeting**

Richard Pelletier moves for approval of the minutes of the July 22, 2020 meeting. Thom Pattavina seconds the motion. The chair calls for the vote. The chair states the matter passes unanimously with 7 affirmative votes.

- 2. River-Cog Report**

None

- 3. Staff Reports**

None

4. Commission Affairs

10. Adjournment

Thom Pattavina motioned to adjourn. The chair calls for the vote. The chair states the matter passes unanimously with 7 affirmative votes.

Respectfully submitted,

Mark Kozikowski, AICP
City Planner